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April 22, 2009

DATE STAMP & RETURN

BY HAND DELIVERY

Marlene Dortch, Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

FILED/ACCEPTED

APR 22 2009

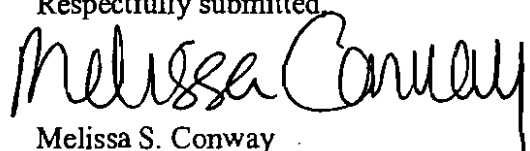
Federal Communications Commission
Office of the Secretary

Re: Section 63.71 Application of Covad Communications Company

Dear Ms. Dortch :

On behalf of Covad Communications Company, transmitted herewith are an original and six (6) copies of an application for authority to discontinue the provision of broadband Internet service to a limited number of customers in Connecticut, Missouri, North Carolina, New York, Pennsylvania, Rhode Island, Texas and Virginia. Please date-stamp the enclosed extra copy of this filing and return it in the envelope provided. Should you have any questions with respect to this matter, please do not hesitate to contact the undersigned at (202) 342-8552.

Respectfully submitted,



Melissa S. Conway

Enclosures

cc: Service List
Rodney McDonald, Competitive Policy Division, Wireline Competition Bureau

In the Matter of)
)
Section 63.71 Application of)
Covad Communications Company)

Covad Communications Company (“Covad” or “Applicant”) hereby seeks authorization pursuant to Section 214(a) of the Communications Act of 1934, as amended (the “Act”), 47 U.S.C. § 214, and Section 63.71 of the Commission’s Rules, 47 C.F.R. § 63.71, to discontinue its provision of domestic telecommunications services – namely, interstate high speed data and Internet services – to a limited number of customers in Connecticut, Missouri, North Carolina, New York, Pennsylvania, Rhode Island, Texas and Virginia.

In an effort to maintain its nationwide broadband network of over 2,000 central offices in the most efficient manner possible, Covad has identified 21 central offices in its network that will be shut down. These central offices have been stagnant in growth for some time and support 41 direct end user customers of Covad and 54 wholesale carriers. A total of

463 circuits provisioned through the wholesale carriers will be affected by the proposed discontinuance. The proposed discontinuance will not result in harm to the affected customers because the customers will have the opportunity to select another telecommunications carrier for their telecommunications needs, and the CLECs and ILEC(s) in their area will continue to offer them high speed data and Internet service.

The Applicant provides the following information pursuant to Section 63.71 of the Commission's Rules:

1. Name and Address of the Carrier: Covad Communications Company is located at 2220 O'Toole Avenue, San Jose, CA 95131.
2. Date of Planned Service Discontinuance, Reduction or Impairment: The Applicant plans to discontinue high speed data and Internet service to the affected customers in the states listed above on June 10, 2009, or as soon thereafter as any necessary regulatory approvals are obtained. Applicant understands that this application will be automatically granted on the 31st day after public notice of filing unless the Commission notifies the Applicant to the contrary.
3. Points of Geographic Areas of Service Affected: Applicant proposes to discontinue the provision of high speed data and Internet service to the affected customers in the states of Connecticut, Missouri, North Carolina, New York, Pennsylvania, Rhode Island, Texas and Virginia.
4. Brief Description of Type of Service Affected: The telecommunications services received by the affected customers include the provision of interstate high speed data and Internet service.

5. Brief Description of the Dates and Methods of Notice to All Affected

Customers: On January 7, 2009, Covad provided e-mail notification to all affected Covad customers. The original notice informed direct customers that, due to changes in Covad's network coverage, it would no longer be able to provide broadband Internet service to the customer's particular location as of May 10, 2009 and provided an 888 number for customers to call to disconnect their service. Wholesale customers received an e-mail notification informing them that certain central offices would be shut down on May 10, 2009. Additionally, each wholesale customer received a list of its circuits impacted by the planned closures and was encouraged to work with their end users to find a new provider for their Internet services. On April 21 and 22, 2009, Applicant provided additional written customer notice by first-class mail in accordance with the requirements of Section 63.71(a) of the Commission's Rules, informing its customers of the revised June 10, 2009 disconnect date. Sample copies of the notices for both direct customers and wholesale customers are appended hereto as *Exhibit A*.

6. Whether the Carrier is Considered Dominant or Non-dominant with

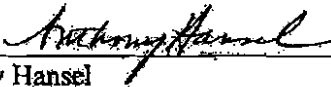
Respect to the Service to be Discontinued, Reduced or Impaired: Applicant is considered non-dominant with respect to the affected services.

In accordance with Section 63.71 of the Commission's Rules, a copy of this Application is being mailed to the Governors and public services commissions of the states of Connecticut, Missouri, North Carolina, New York, Pennsylvania, Rhode Island, Texas and Virginia and to the Special Assistant for Telecommunications for the Secretary of Defense, concurrently with the filing of this application.

Additional questions regarding this application may be addressed to the undersigned or to Melissa Conway, KELLEY DRYE & WARREN LLP, 3050 K Street, N.W., Suite 400, Washington, D.C. 20007, (202) 342-8552, mconway@kelleydrye.com.

Respectfully submitted,

Covad Communications Company

By: 
Anthony Hansel
Assistant General Counsel
Covad Communications Company
1750 K Street, NW, Suite 200
Washington, D.C. 20006
(202) 220-0410

Dated: April 22, 2009

EXHIBIT A



2220 O'Toole Ave
San Jose, CA 95131

Urgent message regarding your Covad Internet service

Service to this location to be discontinued as of June 10, 2009

Dear _____,

We have extended the final service disconnection date from May 10 to June 10, 2009 in order to provide you with additional time to find an alternative Internet service provider.

As of June 10, 2009, Covad will no longer be able to provide broadband Internet service to the address below. Due to some changes in our network coverage, we can no longer provide service to locations in your specific area. We apologize for any inconvenience this may cause.

This notice applies to the following location:

Company Name _____

Address _____

Retail Account # _____

Service Type Standard DSL

Unfortunately, Covad does not have any alternative broadband services to offer you at this location.

The FCC will normally authorize this proposed discontinuance of service unless it is shown that customers would be unable to receive service or a reasonable substitute from another carrier or that the public convenience and necessity is otherwise adversely affected. If you wish to object, you should file your comments as soon as possible, but no later than 15 days after the Commission releases public notice of the proposed discontinuance. Address them to the Federal Communications Commission, Wireline Competition Bureau, Competition Policy Division, Washington, DC 20554, and include in your comments a reference to the §63.71 Application of Covad Communications Company. Comments should include specific information about the impact of this proposed discontinuance upon you or your company, including any inability to acquire reasonable substitute service.

Please call us at 888-64-COVAD (888-642-6823), option 4, to disconnect your service or it will automatically be disconnected on June 10, 2009. Of course, you will not be charged any early termination fees, however, monthly service fees will apply until service is terminated on June 10.

Thank you for your understanding and for having chosen Covad as your broadband services provider. Again, we sincerely apologize for the inconvenience.

Sincerely,

Covad Communications



April 22, 2009

Re: Covad closing of selected COs extended to June 10, 2009

Dear Valued Partner,

In January 2009, we informed you that Covad has identified 21 central offices (COs) in our network that would be shut down on May 10, 2009. These COs have been stagnant in growth for some time and support very few end users. Many of them are in remote areas with a low population. The date of the planned decommissioning of Covad broadband Internet service has been extended to **June 10, 2009**, or as soon thereafter as the necessary regulatory requirements permit.

We plan to close the following central offices on June 10, 2009. Your Covad account representative has emailed a list of the specific circuits that will be affected to his or her contact at your company.

ALQPPAAL	FLYVPAFI	OYBANYOY	STKTNYSK
BADNPABA	GRDXTXE	PJSTNYPJ	TMBLCT00
BDVGNYBV	HDLYVAXA	PLANTXXF	VYPKMO64
CRHDNYCH	HMPNVADC	PLMYPAPA	
DRHMCXG	HUMLPAHM	PNBGPAPB	
EGRNRICH	IMPRPAIM	SMBYCT00	

Please work with any customers in these COs to find a new provider for their Internet service. We plan to disconnect these circuits on June 10, 2009. Early termination fees do not apply to these circuits.

The FCC will normally authorize this proposed discontinuance of service unless it is shown that customers would be unable to receive service or a reasonable substitute from another carrier or that the public convenience and necessity is otherwise adversely affected. If you wish to object, you should file your comments as soon as possible, but no later than 15 days after the Commission releases public notice of the proposed discontinuance. Address them to the Federal Communications Commission, Wireline Competition Bureau, Competition Policy Division, Washington, DC 20554, and include in your comments a reference to the §63.71 Application of Covad Communications Company. Comments should include specific information about the impact of this proposed discontinuance upon you or your company, including any inability to acquire reasonable substitute service.

We apologize for any inconvenience this may cause. Covad is committed to providing you with a robust, reliable nationwide portfolio of broadband services. This network activity helps us keep our prices to you competitive and our nationwide coverage effective and relevant.

Please contact your sales executive if you have any questions.

Regards,

Covad Communications

CERTIFICATE OF SERVICE

I hereby certify that the foregoing Section 63.71 Application was served this 22nd day of April 2009, by mailing true and correct copies thereof, postage prepaid, to the following persons at the addresses listed below.

Secretary of Defense
ATTN: Special Assistant for Telecommunications
Pentagon
Washington, DC 20301

Secretary
State of Connecticut
Department of Public Utility Control
Ten Franklin Square
New Britain, CT 06051

The Honorable Bev Perdue
Governor of North Carolina
Office of the Governor
20301 Mail Service Center
Raleigh, NC 27699-0301

The Honorable M. Jodi Bell
Governor of Connecticut
Executive Office of the Governor
State Capitol
210 Capitol Avenue
Hartford, CT 06106

Secretary
New York State
Department of Public Service
3 Empire State Plaza
Albany, NY 12223-1350

Secretary
Missouri Public Service Commission
Public Information Office
Governor Office Building
200 Madison Street
P.O. Box 360
Jefferson City, MO 65102-0360

The Honorable David Patterson
Governor of New York
State Capitol
Albany, NY 12224

The Honorable Jeremiah Nixon
Governor of Missouri
Office of the Governor
Room 216, State Capitol Building
Jefferson City, MO 65101

Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120

Secretary
North Carolina Utilities Commission
430 North Salisbury Street
Dobbs Building
Raleigh, NC 27603-5918

The Honorable Edward G. Rendell
Governor of Pennsylvania
225 Main Capitol Building
Harrisburg, PA 17120

Secretary
Rhode Island Public Utilities Commission
89 Jefferson Boulevard
Warwick, RI 02888

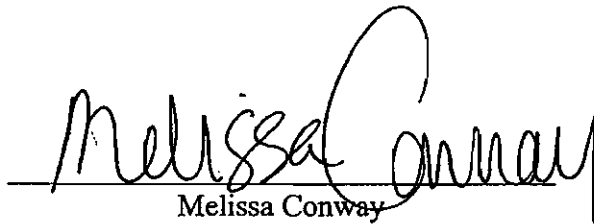
The Honorable Don Carcieri
Governor of Rhode Island
State House
Providence, RI 02903-1196

Secretary
Public Utility Commission of Texas
1701 N. Congress Avenue
PO Box 13326
Austin, TX 78711-3326

The Honorable Rick Perry
Governor of Texas
Office of the Governor
P.O. Box 12428
Austin, TX 78711-2428

Secretary
Commonwealth of Virginia
State Corporation Commission
Tyler Building, 1300 E. Main Street
Richmond, VA 23219

The Honorable Tim Kaine
Governor of Virginia
Patrick Henry Building, 3rd Floor
1111 East Broad Street
Richmond, VA 23219


Melissa Conway